

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Donald J. EATON et al.

Application No.: 10/800,162

Confirmation No.: 9079

Filed: March 12, 2004

Art Unit: 3767

For: SINUS DELIVERY OF SUSTAINED
RELEASE THERAPEUTICS

Examiner: C. Witczak

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated June 6, 2008, for which a response was due on September 6, 2008. Filed herewith is a Petition and fee for a one (1) month extension of time, thereby extending the deadline for response up to and including October 6, 2008. Accordingly, this response is timely filed. Submitted concurrently herewith is a Supplemental Information Disclosure Statement. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.